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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BENJIE SANCHEZ,

Plaintiff,

vs.

METROPOLITAN GROUP PROPERTY AND
CASUALTY INSURANCE COMPANY; DOES I
through X; and ROE CORPORATIONS XI
through XX,

Defendants.

CASE NO.: 2:17-cv-01945-RFB-PAL

**STIPULATION AND ORDER TO REMAND TO
STATE COURT**

IT IS HEREBY STIPULATED by and between Plaintiff BENJIE SANCHEZ and Defendant METROPOLITAN GROUP PROPERTY AND CASUALTY INSURANCE COMPANY by and through their respective counsel, that this matter shall be remanded back to State Court, on the following terms:

1. This action was originally filed in state court, namely the Eighth Judicial District Court of Clark County, Nevada, Case No. A-17-757557-C, and Defendant removed it to Federal Court on or about July 17, 2017, on the basis of diversity jurisdiction.

2. On or about July 28, 2017, Defendant filed a Motion to Dismiss Plaintiff's Second, Third and Fourth Causes of Action, respectively for Breach of Covenant of Good Faith/Insurance

1 Bad Faith, Violation of Unfair Claims Practices Act, and Negligent and/or Intentional
2 Misrepresentation.

3 3. On or about August 11, 2017, Plaintiff filed a First Amended Complaint. The First
4 Amended Complaint alleges only a single cause of action for Breach of Contract and no longer
5 contains the three above-referenced causes of action at issue in Defendant's Motion to Dismiss.
6 The First Amended Complaint also alleges that the amount in controversy is not greater than
7 \$50,000, exclusive of attorney's fees, interest and court costs.

8 **WHEREFOR**, the parties hereby stipulate that this matter shall be remanded back to state
9 court in the Eighth Judicial District Court of Clark County, Nevada, Case No. A-17-757557-C, to
10 proceed through Nevada's arbitration program under NRS 38.250, et seq.

11 DATED this 15th day of August, 2017.

DATED this 15th day of August, 2017.

12 **KEATING LAW GROUP**

HENNESS & HAIGHT

13 By: /s/COLIN P. CAVANAUGH
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18 Attorney for Defendant
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By: /s/SHAUN M. ROSE
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Attorneys for Plaintiff
Benjie Sanchez

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27 (Order on following page.)
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ORDER

IT IS HEREBY ORDERED, pursuant to the stipulation of the parties, that this matter shall be remanded back to state court in the Eighth Judicial District Court of Clark County, Nevada, Case No. A-17-757557-C, to proceed through Nevada's arbitration program under NRS 38.250, et seq.

All matters and deadlines currently set in this federal action are taken off calendar.

DATED this 16th day of August, 2017.



RICHARD F. BOULWARE, II
United States District Judge

Respectfully Submitted by:

KEATING LAW GROUP

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